

January 14, 2020

Mr. Devin M. Leary
Human and Rohde, Inc.
512 Virginia Avenue
Towson, Maryland 21286

RE: Hollins Organic Products, Inc.
AKA: Bluestem at 6241 – 6247 Falls Road
AKA: Village of Lake Roland/CPC Falls Road, LLC
Tracking # 02-19-3126

Dear Mr. Leary:

A request for a variance from Article 33, Title 3, Protection of Water Quality, Streams, Wetlands and Floodplains (i.e. Forest Buffer Law) was received by the Department of Environmental Protection and Sustainability (EPS) on December 19, 2019. If granted, the variance would allow approximately 17,762 square feet (0.41 acre) of Forest Buffer area to continue to be impacted by the long-standing use as a commercial wood waste recycling facility. Of this area, approximately 2,450 square feet includes a combined sediment trap/stormwater and irrigation water recycling basin. The remaining 15,312 square feet (0.35 acres) of area consists of woodchip mulch stockpiles and equipment travelways.

The applicant states that the facility operates under a Solid Waste Processing Facility Permit; therefore, impacts to water quality are mitigated as part of the associated Stormwater Pollution Prevention Plan. A copy of the 2005 iteration of this plan was included with the variance request.

There are no streams, wetlands, floodplains or forest onsite; however, an adjacent stream casts a Forest Buffer onto the site. This stream is a first order tributary to Jones Falls (Use III) that emerges from a private storm drain outfall and flows along the base of a fill slope on Lake Roland Park property where it joins Jones Falls immediately upstream of Lake Roland (Use I). The waterway appears channelized and manipulated over the years. The anticipated Forest Buffer is entirely impacted by the current recycling operation.

This Department has reviewed your request and has determined that a practical difficulty exists in fully meeting the current Forest Buffer Law given that the uses predate this law. We acknowledge that construction design and topography of the site limit the options for relocating the necessary sediment/stormwater basin which must be at the lowest elevation within the

historically disturbed Forest Buffer to capture the 1-inch storm event. These constraints, along with the site's narrow width and intensive uses across the entire property, prevent redesign that would avoid the full Forest Buffer. Lastly, as stated in Section 33-3-112(c) of the Forest Buffer Law, stormwater management facilities are allowed in the Forest Buffer provided that no feasible alternative exists that avoids the Buffer and that minimal disturbance will take place.

Therefore, we will grant this request in accordance with Section 33-3-106(a)(1) and Section 33-3-112(c) of the Baltimore County Code, with the following conditions:

1. All requirements and conditions of this site's yearly Solid Waste Permit and Pollution Prevention Plan shall be met for as long as the wood waste recycling operation is in business.
2. The following notes must appear on all subsequent plans submitted for this project:
 - "A variance was granted on January 14, 2020, by the Baltimore County Department of Environmental Protection and Sustainability from the Law for the Protection of Water Quality, Streams, Wetlands and Floodplains. The continuance of the commercial and industrial uses within the Forest Buffer shown hereon are reflective of the fact that this variance was granted. Conditions were placed on this variance to reduce water quality impacts including offsite mitigation."
 - "There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Buffer Easement except as permitted by the Baltimore County Department of Environmental Protection and Sustainability."
 - "Any Forest Buffer Easement shown hereon is subject to protective covenants which may be found in the Land Records of Baltimore County and which restrict disturbance and use of these areas."

It is the intent of this Department to approve this variance subject to the above conditions. Any changes to site layout or site use/redevelopment will require submittal of revised plans and a new variance request.

Please have the property owner or appropriate representative sign the statement on the following page as the party responsible for meeting the conditions of this variance and return a signed copy of this letter to this Department within 21 calendar days. Failure to return a signed copy may render this approval null and void, or may result in delays in the processing of plans for this project. Furthermore, please note that this approval does not exempt future development activity at this property from compliance with Baltimore County's Law for the Protection of Water Quality, Streams, Wetlands and Floodplains.

Mr. Devin M. Leary
Hollins Organic Products, Inc.
Forest Buffer Variance
January 14, 2020
Page 3 of 3

If you have any questions regarding this correspondence, please contact Mr. Michael S. Kulis at (410) 887-3980.

Sincerely yours,

David V. Lykens
Director

DVL/msk

Enclosures (4)

I/we agree to the above conditions to bring my/our property into compliance with Article 33, Title 3, Protection of Water Quality, Streams, Wetlands and Floodplains.

Owner's/Tenant's Signature Date

Signature Date

Printed Name

Printed Name